

Reply to Office Action dated January 25, 2008

REMARKS

Claims 19-20, 23, 25-27, 30-31, 36-38, 41-42, 46, 48-50, 53, 57, 59-61, 64-66, 68-73 and 75-85 are pending in this application. By this Amendment, claims 19, 23, 27, 30, 38, 41, 46, 50, 53, 57, 61, 64-65, 70-71 and 75-81 are amended, claims 21-22, 28-29, 32, 34, 39-40, 44-45, 51-52, 55-56, 62-63 and 67 are canceled without prejudice or disclaimer and new claims 82-85 are added. Various amendments are made for clarity and are unrelated to issues of patentability.

The Office Action rejects claims 75-78 under 35 U.S.C. §102(e) by U.S. Patent Publication 2004/0030596 to Attar et al. (hereafter Attar). The Office Action also rejects claims 19-23, 30-32, 34, 41-42, 44-46, 53, 55-56, 64-73 and 79-81 under 35 U.S.C. §103(a) over Attar in view of newly-cited WO 00/63874 to Stringer. Still further, the Office Action rejects claims 25-28, 36-39, 48-51 and 59-62 under 35 U.S.C. §103(a) over Attar in view of Stringer and U.S. Patent 6,884,172 to Lloyd et al. (hereafter Lloyd). The Office Action also rejects claims 29, 40, 52 and 63 under 35 U.S.C. §103(a) over Attar in view of Stringer, Lloyd and U.S. Patent Publication 2002/0028655 to Rosener et al. (hereafter Rosener). The rejections are respectfully traversed with respect to the pending claims.

Independent claim 19 recites displaying the avatar at a mobile phone of the called party, the avatar including a plurality of joints, each joint corresponding to a different inputted key of a mobile phone of a calling party. Independent claim 19 also recites receiving a signal for controlling the avatar based on an inputted one of the keys, wherein the received signal is transmitted from the mobile phone of the calling party to the called party, the received signal based on the inputted one of the keys corresponding to one of the joints of the avatar.

Independent claim 19 also recites controlling at least one joint of the displayed avatar in accordance with the received signal.

The applied references do not teach or suggest all the features of independent claim 19. The Office Action states that Attar does not disclose an avatar including a plurality of joints. Therefore, Attar does not teach or suggest the avatar including a plurality of joints, each joint corresponding to a different inputted key of a mobile phone of a calling party, as recited in independent claim 19.

Stringer does not teach or suggest the missing features. Stringer discloses a hand held computer input pointing device 100 that includes a motion detector and a pressure sensor. See Stringer's FIG. 2 showing the pointing device. Stringer also discloses that the pointing device 100 has a motion detector 108 to detection motion (of the pointing device) in three dimensions. Stringer has no teaching or suggestion for a mobile phone and/or keys of a mobile phone. Therefore, Attar and Stringer do not teach or suggest an avatar including a plurality of joints, each joint corresponding to a different inputted key of a mobile phone of a calling party, as recited in independent claim 19.

The applied references also do not teach or suggest receiving a signal for controlling the avatar based on an inputted one of the keys, wherein the received signal is transmitted from the mobile phone of the calling party to the called party, the received signal based on the inputted one of the keys corresponding to one of the joints of the avatar, as recited in independent claim 19.

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The other applied references do not teach or suggest the features of independent claim 19 missing from Attar and Stringer. Thus, independent claim 19 defines patentable subject matter.

Independent claim 30 recites a receiver, at a mobile phone of a called party, for receiving signals for controlling an avatar having a plurality of joints, wherein the signals are transmitted from a mobile phone of a calling party based on inputted keys of a key pad of the mobile phone of the calling party, each inputted key corresponding to a different joint of the avatar. Independent claim 30 also recites a display for displaying the avatar at the mobile phone of the called party, and a controller for controlling different states of the displayed avatar at the mobile phone of the called party in accordance with the received signals, wherein the controller controls the different states by controlling the joints of the avatar corresponding to the inputted keys of the mobile phone of the calling party.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 30. More specifically, the applied references do not teach or suggest at least that the controller controls the different states by controlling the joints of the avatar corresponding to the inputted keys of the mobile phone of the calling party. Thus, independent claim 30 defines patentable subject matter.

Independent claim 41 recites displaying the avatar on the mobile phone, wherein the avatar has a plurality of joints each corresponding to a different one of a plurality of keys. Independent claim 41 also recites generating a signal, based on an inputted one of the keys, for controlling the corresponding joint of the avatar displayed at the called party and displayed on the mobile phone, and transmitting the signal to the called party via a network.

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For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 41. More specifically, the applied references do not teach or suggest generating a signal, based on an inputted one of the keys, for controlling the corresponding joint of the avatar. Thus, independent claim 41 defines patentable subject matter.

Independent claim 53 recites a display for displaying the avatar at the mobile phone of the calling party, a key pad having a plurality of keys each corresponding to a different joint of the avatar, and a controller for generating a signal for controlling the avatar displayed at the mobile phone of the called party based on a selected one of the keys of the key pad, and the controller for controlling the avatar displayed at the mobile phone of the calling party by changing the specific joint of the avatar corresponding to the selected key.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 53. More specifically, the applied references do not teach or suggest a controller for generating a signal for controlling the avatar displayed at the mobile phone of the called party based on a selected one of the keys of the key pad. Thus, independent claim 53 defines patentable subject matter.

Independent claim 64 recites a mobile phone of a calling party for generating signals for controlling joints of an avatar and transmitting the generated signals, the mobile phone including a plurality of keys each corresponding to a different joint of the avatar, wherein the generated signals relate to selected keys that correspond to specific joints of the avatar. Independent claim 64 also recites a mobile phone of a called party for receiving the signals transmitted from the

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mobile phone of the calling party and displaying the avatar in a plurality of different states based on the received signals, wherein each of the states includes a different arrangement of the joints of the avatar based on the selected keys of the mobile phone of the calling party.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 64. More specifically, the applied references do not teach or suggest that the generated signals relate to selected keys that correspond to specific joints of the avatar. Thus, independent claim 64 defines patentable subject matter.

Independent claim 65 recites generating signals to control the avatar at a mobile phone by selecting different keys of the mobile phone, wherein the avatar includes a plurality of joints and each key of the mobile phone corresponds to a different joint of the avatar. Independent claim 65 also recites receiving the signals at a called party, and displaying the avatar in different representations at the called party based on the received signals, wherein each of the representations includes a different arrangement of the joints of the avatar.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 65. Thus, independent claim 65 defines patentable subject matter.

Independent claim 75 recites receiving a signal for controlling a joint of the avatar, wherein the received signal is transmitted from a mobile phone of a calling party to the mobile phone of the called party, and displaying the avatar controlled in accordance with the received signal at the mobile phone of the called party based on selection of a key from the mobile phone, the received signal corresponding to both the joint and the key. Independent claim 75

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also recites that the avatar being controlled at the mobile phone of the called party is the same as in the mobile phone of the calling party, wherein the avatar of the mobile phone of the calling party is equally controlled and displayed corresponding to an input signal generated by a user of the mobile phone of the calling party.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 75. More specifically, the applied references do not teach or suggest displaying the avatar controlled in accordance with the received signal at the mobile phone of the called party based on selection of a key. The applied references also do not teach or suggest the received signal corresponding to both the joint and the key. Thus, independent claim 75 defines patentable subject matter.

Independent claim 76 recites receiving a signal for controlling the avatar based on a specific key pad selection of a mobile phone of the calling party, wherein the received signal is transmitted from the mobile phone of the calling party to the mobile phone of the called party. Independent claim 76 also recites controlling the avatar in accordance with the received signal, and displaying the controlled avatar at the mobile phone of the called party, wherein the avatar being controlled at the mobile phone of the called party is the same as in the mobile phone of the calling party, wherein the avatar of the mobile phone of the calling party is equally controlled and displayed corresponding to an input signal generated by a user of the mobile phone of the calling party.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 76. More specifically, the applied references

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do not teach or suggest receiving a signal for controlling the avatar based on a specific key pad selection of the mobile phone of the calling party. Attar does not suggest a specific key pad selection of a mobile phone. Thus, independent claim 76 defines patentable subject matter.

Independent claim 77 recites selecting the avatar being controlled using the mobile phone of the calling party, and generating a signal for controlling the selected avatar, wherein the generated signal is based on a specific key of the mobile phone and a corresponding joint of the avatar. Independent claim 77 also recites transmitting the signal to the mobile phone of the called party via a network, wherein the avatar being controlled at the mobile phone of the called party is the same as in the mobile phone of the calling party, wherein the avatar of the mobile phone of the calling party is controlled and displayed corresponding to the generated signal.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 77. More specifically, the applied references do not teach or suggest that the generated signal is based on a specific key of the mobile phone and a corresponding joint of the avatar. Thus, independent claim 77 defines patentable subject matter.

Independent claim 78 recites selecting the avatar being controlled using the mobile phone of the calling party, displaying the selected avatar on the mobile phone of the calling party, and generating a signal for controlling the displayed avatar, wherein the generated signal is based on a specific key of the mobile phone of the calling party and a corresponding joint of the avatar. Independent claim 78 also recites transmitting the signal to control the displayed avatar to the mobile phone of the called party via a network, wherein the avatar being controlled at the mobile

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phone of the called party is the same as in the mobile phone of the calling party, wherein the avatar of the mobile phone of the calling party is equally controlled and displayed corresponding to the generated signal.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 78. Thus, independent claim 78 defines patentable subject matter.

Independent claim 82 recites receiving a special number from a mobile phone of a calling party, wherein the special number represents an identified number for controlling the avatar, and displaying the avatar at the mobile phone of the called party, the avatar including a plurality of joints. Independent claim 82 also recites receiving a signal for controlling the avatar from the mobile phone of the calling party, the received signal corresponding to one of the joints of the avatar, and controlling at least one joint of the displayed avatar in accordance with the received signal.

For at least similar reasons as set forth above, the applied references do not teach or suggest all the features of independent claim 82. Additionally, the applied references do not suggest receiving a special number from a mobile phone of a calling party, wherein the special number represents an identified number for controlling the avatar. Thus, independent claim 82 defines patentable subject matter.

Independent claim 83 recites a receiver for receiving a special number from a mobile phone of a calling party and for receiving signals for controlling an avatar having a plurality of joints, wherein the special number represents an identified number for controlling the avatar,

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and wherein the signals are transmitted from the mobile phone of the calling party. Independent claim 83 also recites a display for displaying the avatar, and a controller for controlling different states of the displayed avatar in accordance with the received signals, wherein the controller controls the different states by controlling the joints of the avatar.

For at least similar reasons as set forth above, the applied references do not teach or suggest all the features of independent claim 83. Additionally, the applied references do not suggest receiving a special number from a mobile phone, wherein the special number represents an identified number for controlling the avatar. Thus, independent claim 83 defines patentable subject matter.

Independent claim 84 recites pressing a phone number of the mobile phone of the called party, and pressing a special number, wherein the special number represents an identifier number for controlling the avatar. Independent claim 84 also recites displaying the avatar on a display of the mobile phone of the calling party, wherein the avatar has a plurality of joints, generating a signal for controlling at least one joint of the avatar by pressing at least one of a plurality of key buttons, and transmitting the signal to the mobile phone of the called party via a network.

For at least similar reasons as set forth above, the applied references do not teach or suggest all the features of independent claim 84. Additionally, the applied references do not suggest pressing a special number, wherein the special number represents an identifier number for controlling the avatar. Thus, independent claim 84 defines patentable subject matter.

Independent claim 85 recites key buttons, a display for displaying the avatar at the mobile phone of the calling party, and a controller for generating a special signal based on a special

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number input through the key buttons and for generating a control signal for controlling the avatar displayed at the called party. Independent claim 85 also recites the special number represents an identifier number for controlling the avatar, wherein the avatar includes a plurality of joints and the control signal corresponds to one of the joints of the avatar. Independent claim 85 also recites a transmitter for transmitting the special signal and the control signal to the mobile phone of the called party via a network.

For at least similar reasons as set forth above, the applied references do not teach or suggest all the features of independent claim 85. Additionally, the applied references do not suggest generating a special signal based on a special number input through the key buttons, wherein the special number represents an identifier number for controlling the avatar. Thus, independent claim 85 defines patentable subject matter.

For at least the reasons set forth above, each of independent claims 19, 30, 41, 53, 64, 65, 75-78 and 82-85 defines patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims recite features that further and independently distinguish over the applied references.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 19-20, 23, 25-27, 30-31, 36-38, 41-42, 46, 48-50, 53, 57, 59-61, 64-66, 68-73 and 75-85 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for

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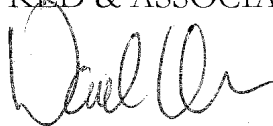
Docket No. **DPO-0010**

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allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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